

**PUBLIC PENSIONS TO WIDOWS  
WITH CHILDREN: A STUDY  
OF THEIR ADMINISTRATION  
IN SEVERAL AMERICAN CITIES**

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Public Pensions to Widows with Children: A Study of Their Administration in several American cities by C. C. Carstens

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**C. C. CARSTENS**

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*Russell Sage*      *H. P. Bates*

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A STUDY OF THEIR ADMINISTRATION  
IN SEVERAL AMERICAN CITIES

BY

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PREVENTION OF CRUELTY TO CHILDREN



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## CONTENTS

	PAGE
INTRODUCTION . . . . .	5
THE PRESENT EXTENT OF THE PENSION PLAN . . . . .	7
THE CALIFORNIA PLAN . . . . .	8
THE KANSAS CITY PLAN . . . . .	12
THE MILWAUKEE PLAN . . . . .	13
THE FUNDS TO PARENTS ACT OF ILLINOIS . . . . .	14
Applications . . . . .	15
The Case Committee and the Judge . . . . .	16
The Investigations . . . . .	16
Study of One Hundred Pensioned Families . . . . .	18
Probation Officers' Work . . . . .	19
Adequacy of the Pension . . . . .	20
Decrease of Interest and of Resources other than Pension . . . . .	22
Conclusions Drawn from the One Hundred Cases . . . . .	22
PLANS IN OTHER STATES . . . . .	24
GENERAL CONCLUSIONS . . . . .	25
APPENDIX—EXISTING LAWS, ORDINANCES, ETC. . . . .	29

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PUBLIC PENSIONS TO WIDOWS WITH  
CHILDREN

[For the three months beginning August 1, 1912, Mr. Carstens was commissioned by the Russell Sage Foundation to study the actual working of public pensions to widows with children in certain western communities. He spent several weeks in San Francisco, six weeks in Chicago, and much shorter periods in Kansas City, Missouri, and in Milwaukee. In Chicago, investigators made, under his direction, a study of one hundred of the pensioned families. His findings are printed as a contribution toward the practical study of a question now attracting a great deal of attention.]

## INTRODUCTION

IN January of 1909 about two hundred men and women met in the city of Washington upon the invitation of the President of the United States, and held what was known as the White House Conference on the Care of Dependent Children. The first of the resolutions there adopted reads as follows:

Home life is the highest and finest product of civilization. It is the great molding force of mind and of character. Children should not be deprived of it except for urgent and compelling reasons. Children of parents of worthy character, suffering from temporary misfortune and children of reasonably efficient and deserving mothers who are without the support of the normal breadwinner, should, as a rule, be kept with their parents, such aid being given as may be necessary to maintain suitable homes for the rearing of the children. This aid should be given by such methods and from such sources as may be determined by the general relief policy of each community, preferably in the form of private charity, rather than of public relief. Except in unusual circumstances, the home should not be broken up for reasons of poverty, but only for considerations of inefficiency or immorality.

These principles had long been held by many members of this Conference, but they were then for the first time crystallized into compact form and published so widely as to awaken all parts of the country to a realization of their importance. Many went away from that Conference convinced of their universal application, and took active steps to reduce the population of existing child-caring institutions and to prevent the creation of any new ones in their several communities. The resolutions adopted by this White House Conference were without doubt the strongest single factor in developing the sentiment for widows' pensions which has found such strong and widespread expression during the last few months.

The policy of some of the better-equipped private societies of providing a lump sum by the week or month, often called a pension, with-

TO WHOM  
IT MAY COME

out which the mother and her dependent children would be separated, has during the last few years gained wide favor, and the demand in the nation for the general adoption of such a policy has rapidly grown.

To these demands for keeping mother and children together by means of adequate aid has been added a third demand, that the payment be looked upon as a pension in return for the service which the mother is rendering the state by the fact of her motherhood, such aid being made necessary by her widowhood. It is pointed out that this payment bears an analogy to those made by the state or nation to soldiers, sailors, or other servants who have rendered public service, and who have grown old or have been disabled in the pursuit of their duties. It is from this supposed analogy that the term "widow's pension" has in the minds of most people, during these recent months of growing interest in the subject, acquired the meaning of a stated sum from public rather than private sources.

Besides these influences inclining the general public toward widows' pensions, there must be added the relief principles enunciated in the recent Minority Report of the English Royal Poor Law Commission, which have gained a rather wide acceptance among certain groups of social workers in this country.

The theory upon which pension legislation has been based so far in this country is that children are being separated from their mothers for reasons of poverty only, and that children are coming before our juvenile courts for forms of waywardness or delinquency which the court believes to be due to the lack of the necessary care which the mother is capable of providing, but which she is prevented from giving because of the necessity of going out to earn the support for herself and her children.

The term "dependent children" does not have the same meaning in every state. In most states, the class of dependent children includes neglected as well as dependent children, and in certain states it includes a considerable number of those that in other states would be classed as wayward. When, therefore, it is stated that children have been committed to institutions, before one can reach a conclusion regarding the number of children that have been taken from homes because of poverty only, it is necessary to separate from this total the number that have been removed because of the neglect, crime, cruelty, drunkenness or other vice of the parents, so that they might have a better home than the parent has been able or willing to provide. We must also deduct the number that were removed because of the children's own waywardness, with which the home was unable to cope.

This lack of distinction between neglected, wayward and dependent children is at the foundation of much loose thinking on this subject, and at final analysis the number of children who have been removed from their mothers because of poverty alone is found to be only a very small percentage of those in these various institutions. That there are children in institutions or in the care of children's societies because of



poverty alone is unquestionably true, but it is essential that one should have a fairly clear idea of their number, so as to determine the advisability of developing an entirely new form of public aid to provide for this evil.

#### THE PRESENT EXTENT OF THE PENSION PLAN

AS is common in other forms of invention, the beginnings of this movement are discovered in a number of places almost simultaneously. When the country at large became interested, it was found that at least four cities had already made plans for the public pensioning of mothers with dependent children, each of which had been developed without waiting to learn from the experience of the others.

The plan in San Francisco was started about four years ago without any special statute. The law permitting Kansas City, Missouri, to provide the pension from public funds was passed April 11, 1911. The Illinois law became operative July 1, 1911, and Milwaukee, without a special statute, began its pension plans in April, 1912. During the fall of 1912, St. Louis has been added on the basis of a city ordinance recently passed, and Colorado by initiative legislation passed a law in November, 1912.<sup>1</sup>

<sup>1</sup> See Appendix (p. 29, sq.) for the various legal provisions authorizing these pension plans. In Colorado the petition, signed by the requisite number of voters, which placed this proposal on the ballot, gave the proposed act in full, but with no title other than the name of the act to which the proposed act was amendatory. It was provided by the petition that each voter might deposit a ballot on which should be printed the words "For" or "Against [as the case may be] the Mothers' Compensation Act, being an Act to Amend an Act, Concerning Dependent and Neglected Children, and Permitting Keeping Such Children in Family Homes, and for Workhouses for Men Convicted of Non-Support." A summary and explanation of the purpose of the act was attached to this petition. Although the act allows the pensioning of fathers as well as mothers—the condition being that the "parent or parents of such dependent or neglected child are poor and unable to properly care for such child, but otherwise are proper guardians, and it is for the welfare of such child to remain at home"—this summary was headed in large type, "MOTHERS' COMPENSATION ACT," and it was explained that the measure was "for the better protection of mothers and dependent children of the State through the following plan: 1. In all worthy and proper cases of needy mothers of dependent children, it empowers the court to pay the mother to stay at home and take care of the children. . . . It compels the State in proper cases to compensate rather than punish the mothers of children, as at present, because of their poverty or misfortune."

As the act is quite long and is complicated with other provisions besides the pensioning of parents, it is the summary that undoubtedly was usually read. In the interest, therefore, of intelligent action it must be regarded as a misfortune that not once in the summary was a hint given that the act allowed *parents'* pensions as well as *mothers'* pensions.

The act was approved by the voters. On December 9, 1912, however, an opinion was rendered by the city attorney of Denver to the effect that its provisions for the appropriation of funds are not mandatory in that city.

## THE CALIFORNIA PLAN

THE Constitution of California authorizes the granting of aid to private institutions for the care of orphans, half-orphans or abandoned children, and under this provision the state is paying to such institutions \$100 a year for an orphan and \$75 for a half-orphan, and \$11 a month for the care of an abandoned child. This section of the Constitution also authorizes such payments to any city, county or town providing for such dependents. The Juvenile Court Law of California, on the other hand, authorizes the payment of not to exceed \$11 per month for dependent children committed to any private institution. Under the provisions of this law most of the counties of California make payments to private agencies for the care of their dependent children, and then, under the constitutional provision, recoup themselves from state funds as far as is possible at the above-mentioned rates.

After the San Francisco earthquake, when the number of dependent children was particularly large and the institutions available for their care had become quite overcrowded, additional provision was needed for the care of dependent children. It was then suggested that the boarding-out method be introduced for their care, and, in 1908, the Children's Agency of the San Francisco Associated Charities and the Catholic Humane Bureau were organized as boarding-out agencies. It soon became apparent that children came into the care of these two agencies who were dependents but who had mothers wholly suitable to provide for them. The plan was therefore inaugurated of returning the children to such mothers, provided all the home conditions were favorable, and making the county or state payments to them (through the private agencies) that would otherwise have been made to the institutions.

The amount available for these returned children that are half-orphans is so small that, in many instances, where there are no additional resources in the family, the county is asked to pay the maximum of \$11 a month, with the understanding that it will recoup itself from the state as far as it can do so under the Constitution. Even these sums are not sufficient in a good many instances, and an analysis of the aid provided in a considerable number of cases would seem to show that at least one dollar of supplementary aid is required from private sources for every two dollars drawn from the public in order to meet the apparent needs of the family.

To these two agencies the Hebrew Benevolent Society was later added, so that in 1912 three private societies were having dependent children committed to them, a considerable number of whom were thereupon returned to their mothers, or to their parents where both parents were living.

On June 1, 1912, the Children's Agency of the Associated Charities had 519 children in its care. Two hundred and one of these children

were boarded at public expense with parents;<sup>1</sup> while 282 were boarded in other private families, 18 were in children's institutions, 16 were held for legal control only, and 2 were held pending investigation.

The plan as it is in vogue in San Francisco, and to a small extent in Fresno, Berkeley, Oakland, Los Angeles, and other cities of California, is therefore not based on a statute directly establishing widows' pensions. By combining a section of the Constitution with the provisions of the Juvenile Court Law, a form of state payment for the support of dependent children has been made possible. Payments are made under these provisions for the support of children where the father has deserted; where he has been divorced and alimony either has not been allowed or has not been enforced by the machinery of the court; where the father is in prison; where he is suffering from some chronic ailment, such as tuberculosis, heart trouble or cancer; and to mothers for the care of dependent children born out of wedlock. The plan is therefore a fund to parents for the support of dependent children boarded with the mother. By their commitment to any one of the three private societies of San Francisco, the children are placed at least nominally and possibly legally in the custody and control of that particular society. Whether this commitment gives the private society any legal custody as against the parent is not clear and has not been passed on by the Supreme Court. The commitment has been made not for the purpose of changing the child's custody, but to draw from public funds such a sum as state or county allows for the support of the dependent child.

This payment, often called the pension, is being made at the present time in certain instances in lieu of other and perhaps more difficult but more fundamental solutions, namely: the enforcement of a statute against desertion of wife and children; the enactment of a bastardy law; and the enactment of a law requiring that a prisoner shall contribute from his labor to the support of wife and dependent children while he is serving sentence imposed upon him by another court.

The large Red Cross relief funds that became available for San Francisco after its great earthquake and during its rehabilitation period had the tendency to set a standard of money relief that is probably not surpassed and perhaps not equaled in amount elsewhere in the United States. Inevitably family solidarity, which has never been greatly emphasized in our far western states, has become weakened by this accessibility of relief, and relatives have relieved themselves of the responsibilities they would have assumed under other circumstances—a tendency which has been still further strengthened by the public pensions that became available a few years later. These circumstances seem also to have discouraged systematic inquiry regarding the resources of relatives and their ability and disposition to aid. Private societies, because of the disaster, also found their resources crippled, while the demands upon them were increased. Under all these circumstances, in spite of the

<sup>1</sup> In one family both parents were dead and the children were with grandparents. In another the children were with a married sister.